

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

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Vinnie Norman,  
Plaintiff,

v.

Family Dollar Stores, Inc.  
Defendant.

\*  
\* DEBRA P. HACKETT, CLK  
\* U.S. DISTRICT COURT  
\* MIDDLE DISTRICT ALA  
\* CIVIL ACTION NO: CV-06-~~1341~~ 553 - CSC  
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**PLAINTIFF'S MOTION TO AMEND COMPLAINT**

Comes now, Plaintiff by and through her attorney of record, Christopher B. Pitts and moves the court pursuant to Rule 15(a) leave to amend the complaint in this action to add Jeanette Dillard as party defendant to this action. A copy of the proposed Amended Complaint is attached hereto as Exhibit A. In support of this Motion, Plaintiff respectfully shows the Court the following:

I.

Jeanette Dillard was store manager of Family Dollar Stores, Inc. at the time Plaintiff, Norman received injuries. Jeanette Dillard failed to oversee and monitor the stocking of the shelves. As a result of Defendant's failure Plaintiff, Norman suffered injury. Thus, Jeanette Dillard is a necessary defendant to this action and justice would not be served unless this party was joined as a defendant to this action.

II.

The said Jeanette Dillard is a citizen and resident of Montgomery County, Alabama. Once this party is added as a party to this action, this court will not have jurisdiction. Thus, this court would lack personal jurisdiction to hear this matter. A copy of the Motion to Remand is attached hereto as Exhibit B.

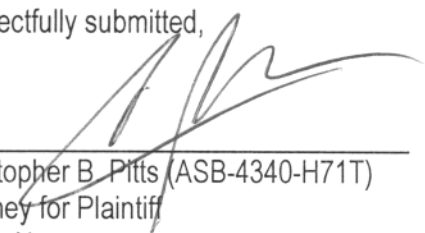
III.

Moreover, Defendant, Family Dollar Stores, Inc. will not be prejudiced by leave to amend the complaint. Defendant, Family Dollar Stores, Inc. would not have to expend significant additional resources to conduct discovery and prepare for trial; and amending the complaint would not result in significant delay in resolving this action.

Accordingly, Plaintiff, Vinnie Norman prays that this Court grant this Motion to Amend Complaint and that Jeanette Dillard be added as a party to this action.

SCANNED  
BY CITY

Respectfully submitted,

  
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Christopher B. Pitts (ASB-4340-H71T)  
Attorney for Plaintiff  
Vinnie Norman

OF COUNSEL:

THE PITTS FIRM  
4142-A Carmichael Road  
Montgomery, AL 36106

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served on the following by directing same to the office address through first-class, United States mail, postage prepaid, on this the 10 day of August 2006:

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